

5-2-2001

LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS. INITIATIVE CONSTITUTIONAL AMENDMENT.

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LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS. INITIATIVE CONSTITUTIONAL AMENDMENT. California Initiative 918 (2001).
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BILL JONES
Secretary of State
State of California

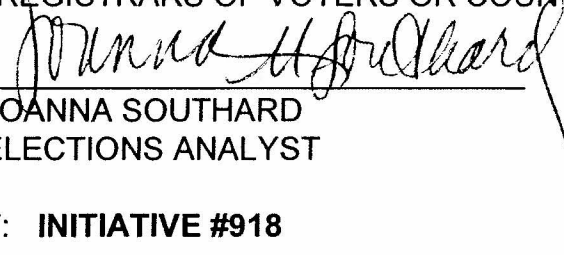
May 2, 2001

ELECTIONS DIVISION

(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

TO: ALL REGISTRARS OF VOTERS OR COUNTY CLERKS AND PROPONENTS (01084)

FROM:


JOANNA SOUTHARD
ELECTIONS ANALYST

SUBJECT: **INITIATIVE #918**

RECEIVED

MAY 2 2001

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**LEGISLATIVE TERM LIMITS.
LOCAL VOTER PETITIONS.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Howard Owens
c/o Richard D. Martland
Nielsen, Merksamer, Parrinello, Mueller & Naylor, LLP
770 L Street, Suite 800
Sacramento, CA 95814

(916) 446-6752

#918
LEGISLATIVE TERM LIMITS.
LOCAL VOTER PETITIONS.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 670,816
California Constitution, Article II, Section 8(b)
2. Official Summary Date:..... Wednesday, 05/02/01
Elections Code section (EC§) 336
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Wednesday, 05/02/01
 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a))Monday, 10/01/01*
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b)).....Friday, 10/12/01

(If the Proponent files the petition with the county on a date prior to 10/01/01,
the county has eight working days from the filing of the petition to determine the
total number of signatures affixed to the petition and to transmit the total to the
Secretary of State) (EC §9030(b)).
 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties (EC §9030(c))..... Sunday, 10/21/01**
 - e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(EC §9030(d)(e)) Tuesday, 12/04/01

* Date adjusted for official deadline which falls on Saturday (EC §15).

** Date varies based on receipt of county certification.

INITIATIVE #918

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 10/21/01, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 737,898 or less than 637,275 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 637,275 and 737,898 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a)) Friday, 12/14/01*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)). Wednesday, 01/30/02

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 12/14/01, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033)..... Sunday, 02/03/02*

NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE MARCH 5, 2002, PRIMARY

ELECTION: This initiative must be certified for the ballot 131 days before the election (October 25, 2001). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions with county elections officials by August 17, 2001. If a 100% check of signatures is necessary, it is advised that the petitions be filed by June 26, 2001.

* Date varies based on receipt of county certification.

IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 123 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq. A brief summary is attached for your reference.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
Public: (916) 445-9555

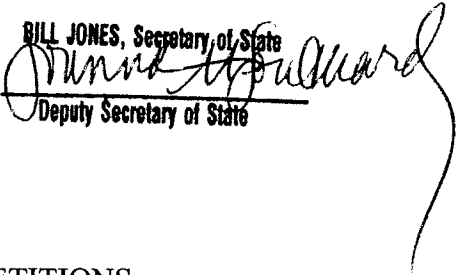
Facsimile: (916) 324-8835
(916) 324-5490

FILED
In the office of the Secretary of State
of the State of California

May 2, 2001

MAY 02 2001

Bill Jones
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

By 
BILL JONES, Secretary of State
Deputy Secretary of State

RE: Initiative Title and Summary
SUBJECT: LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS.
INITIATIVE CONSTITUTIONAL AMENDMENT.
FILE NO: SA2001RF0012

Dear Mr. Jones:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of service.

Sincerely,



TRICIA KNIGHT
Initiative Coordinator

For **BILL LOCKYER**
Attorney General

TK:cw
Enclosures

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS. INITIATIVE

CONSTITUTIONAL AMENDMENT. Allows registered voters in an Assembly or Senate

district to submit petition signatures to permit their incumbent state legislator to run for

re-election and serve for an additional four years maximum, if a majority of voters approves.

This option would only be permitted once per legislator, petitions would be filed before the end of legislator's final term, and petition signatures would be subject to specified requirements.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would result in unknown, probably minor, costs to local governments for signature verification and minor costs to the state government.

SA2001 RF0012

March 12, 2001

Office of the Attorney General
1300 "I" Street
Sacramento, CA 95814

RECEIVED
MAR 16 2001

Attention: Tricia Knight, Initiative Coordinator

Re: Proposed Initiative

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Ms. Knight:

Pursuant to Elections Code section 9002, we request that the Attorney General prepare a title and summary of a proposed initiative measure. The text of the measure and a check for \$200.00 are enclosed.

Sincerely,


Howard Owens

**INITIATIVE MEASURE TO BE SUBMITTED
DIRECTLY TO THE VOTERS**

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure.

[Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.]

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City and County) hereby propose amendments to the Constitution of California, relating to the Legislature, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed constitutional amendments are as follows:

Section One: Preamble

Term limits have reinvigorated the political process by promoting full participation and bringing a breath of fresh air to California government. The people recognize that in some instances a few specially skilled and popular law makers have been unable to complete important legislative programs for their districts before they must leave office. In recognition of these special cases, the people of California seek an opportunity by petition to extend some specific district representatives' terms in office by a maximum of 4 years.

Section Two:

Sections 21 and 22 are hereby added to Article II of the California Constitution to read as follows:

21. Local legislative option. Local legislative option is the power of the voters residing in an Assembly or Senate district to exercise an option to allow their term-limited state legislator to stand for re-election for an extended term (s) in

office, not to exceed a total of four years, notwithstanding Article IV, Section 2(a) of this Constitution.

(a) Local legislative option may be exercised only one time per lawmaker.

22. (a) Exercise of the local legislative option is initiated by delivering to the Secretary of State a petition invoking the right of the people to re-elect a legislator who would otherwise be ineligible for re-election by reason of Article IV, Section 2(a). Proponents have 90 days to circulate petitions and must submit petitions for verification at least 30 business days prior to the first day candidates may file declarations of intention to become a candidate for legislative office.

(b) A petition invoking local legislative option must be signed by electors of the district equal in number to 20 percent of the ballots cast for that office in the last general election for which the local legislative option is sought.

(c) Only electors registered to vote in the district in which the legislator is serving at the time the petition is filed, or following a redistricting, in the district in which the local legislative option is sought, may sign the petition.

(d) Legislators permitted to run under this section may run only in the district in which they are currently serving, or if that district is changed pursuant to redistricting, then in the successor district whose lines include the larger portion of the former district.

(e) Local voters may exercise this option to extend the time that a legislator would otherwise be permitted to serve by a period of four years.

(f) The petition must be in substantially the following form:

We the undersigned registered voters of the ____ Assembly [or Senate] district hereby invoke our right pursuant to Article II, Section 21 of the California Constitution to vote for or against [here list the legislator by name] at the next election(s) for that office, but not to exceed a total of four years. Our reasons are as follows: [here set forth reasons in no more than 200 words]

(g) Petitions shall be submitted to local election officers who shall certify the signatures to the Secretary of State in the same fashion as initiative petitions are certified. As soon as sufficient valid signatures are certified, the Secretary of State shall so advise local election officials, who shall place the name of the certified legislator on the ballot in the same fashion as if he or she were not subject to Article IV, Section 2 (a).

State of California

SECRETARY OF STATE

RECEIVED

October 23, 2001

#918

OCT 23 2001

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS (01207)

Pursuant to Section 9033 of the Elections Code, I hereby certify that on October 23, 2001, the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Constitutional Amendment, **LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS.**, has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The **LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS. INITIATIVE CONSTITUTIONAL AMENDMENT.** is, therefore, qualified for the March, 5, 2002 Primary Election.

LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS. INITIATIVE CONSTITUTIONAL AMENDMENT. Allows registered voters in an Assembly or Senate district to submit petition signatures to permit their incumbent state legislator to run for re-election and serve for an additional four years maximum, if a majority of voters approves. This option would only be permitted once per legislator, petitions would be filed before the end of legislator's final term, and petition signatures would be subject to specified requirements. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would result in unknown, probably minor, costs to local governments for signature verification and minor costs to the state government.

IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great Seal of
the State of California this 23rd day of
October, 2001.



BILL JONES
Secretary of State



